IN THE HIGH COURT OF BOMBAY AT GOA.

FIRST APPEAL NO. 102 OF 1998.

1. Smt. Shanti Bala Ghosh,
   major, married, service,
   widow of Shri Mrinal Kanti Ghosh;

2. Shri Tarun Kranti Ghosh,
   major, unmarried, student,
   son of late Shri Mrinal Kanti Ghosh
   and the Appellant No.1,
   both residing at H.No.M-29,
   Vidhya Nagar, Housing Board
   Colony, Margao, Goa. ... Appellants.

VERSUS

1. Shri Tushar Kanti Ghosh,
   major, married, service,
   son of Shri Mrinal Kanti Ghosh
   and the Appellant No.1;

2. Smt. Meghna Tushar Kanti Ghosh,
   major, married, wife of
   Respondent No.1 and daughter of
   Dr. Chanda Sinai Borkar,
   both residing at C/o. Dr.Chanda
   Sinai Borkar, Ansabhat, Mapusa,
   Goa. ... Respondents.

Mr. M.S. Usgaonkar, Senior Advocate with Ms. A. Razak, Advocate for the Appellants.

Mr. S. Vahidulla, Advocate for the Respondents.

CORAM: N. A. BRITTO, J.

DATE: 1ST APRIL, 2004.

ORAL JUDGMENT:

Heard learned Senior Counsel Shri Usgaonkar for the Appellants and learned Advocate Shri S. Vahidulla for the Respondents.

2. By consent, the Judgment and Decree dated 20.2.98 is hereby set aside, notwithstanding the Order passed by the Trial Court disposing of the application dated 15.7.98 at Exh.10.

3. The Trial Court is directed to record the statement of the Administrator (Cabeca de Casal) and thereafter proceed in accordance with law. Parties will be free to raise all pleas, if they are advised, to raise in the proceedings. The matter of appointment of Receiver is kept open to be decided by the Trial Court. Parties to appear before the learned Civil Judge, Senior Division, Margao on 19th instant at 10.30 a.m.

Copy expedited.

N. A. BRITTO, J.

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